



SECTOR ~~5/104~~

Attorney Docket No.: NTL-3.2.113/3199 (11334 RO)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231 on this date: May 10, 2000

ROSEMARIE MEDINA

Printed Name

Rosemarie Medina

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Elias Nemer

Serial No.: 09/493,709

Art Unit: 2787

Filed: January 28, 2000

Examiner:

Title: **METHOD OF AND APPARATUS FOR REDUCING ACOUSTIC NOISE IN WIRELESS AND LANDLINE BASED TELEPHONY**

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE

Sir:

Responsive to the Notice to File Missing Parts of Application dated March 13, 2000, enclosed is the declaration signed by the inventor of the present application, Elias Nemer, together with the fee of \$130.00 as set forth in 37 C.F.R. § 1.16(e).

Also enclosed is an Assignment executed by the inventor as well as a Recordation Form Cover sheet and the \$40.00 recordation fee.

An early consideration and allowance of this application are respectfully requested.

Lawrence E. Russ

Dated: May 10, 2000

05/18/2000 TTRAN1 00000024 09493709

01 FC:105

130.00 OP

Lawrence E. Russ
Reg. No. 35,342
COBRIN & GITTES
750 Lexington Avenue
New York, New York 10022
(212) 486-4000

Please type a plus sign (+) inside this box [+]



PTO/SB/21 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no postage is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | |
|---|-------------------------------|----------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/493,709 |
| | Filing Date | January 28, 2000 |
| | First Named Inventor | Elias Nemer |
| | Group Art Unit | 2787 |
| | Examiner Name | to be assigned |
| Total Number of Pages in this Submission [6] | Attorney Docket Number | NTL-3.2.113/3199 (11334RO) |

ENCLOSURES (check all that apply)

| | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input checked="" type="checkbox"/> Assignment Papers (for an application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/ <u>Response</u> | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input checked="" type="checkbox"/> Affidavits/ <u>declaration</u> (s) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Additional Enclosure(s) (Please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> - Check for \$170.00 |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | [REMARKS] | |
| <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or Individual Name | COBRIN & GITTES Lawrence E. Russ, Reg. No. 35,342 |
| Signature | |
| Date | May 10, 2000 |

CERTIFICATE OF MAILING

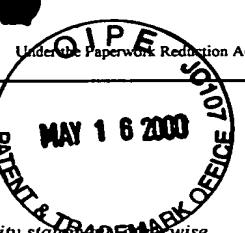
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: [May 10, 2000]

| | | |
|-----------------------|------------------|----------------------|
| Typed or printed name | Rosemarie Medina | |
| Signature | | [Date]: May 10, 2000 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

FEE TRANSMITTAL
for FY 2000

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement otherwise
large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.



Complete if Known

| | |
|----------------------|------------------|
| Application Number | 09/493,709 |
| Filing Date | January 28, 2000 |
| First Named Inventor | Elias Nemer |
| Examiner Name | to be assigned |
| Group/Art Unit | 2787 |

TOTAL AMOUNT OF PAYMENT

(\$ 170.00)

Attorney Docket No. NTL-3.2.113/3199 (11334RO)

METHOD OF PAYMENT (check one)

FEE CALCULATION (continued)

1. [x] The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: [03-2317]

Deposit Account Name: [COBRIN & GITTES]

[x] Charge any additional fee required under 37 CFR 1.16 and 1.17

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | | |
|--------------|------|--------------|------|-------------------------------------|----------|
| Code | (\$) | Code | (\$) | Fee Description | Fee Paid |
| 105 | 130 | 205 | 65 | Surcharge - Late filing fee or oath | \$130.00 |

2. [x] Payment Enclosed:

[x] Check [] Money Order [] Other

127 50 227 25 Surcharge - late provisional filing fee or cover sheet

139 130 139 130 Non-English specification

FEE CALCULATION

147 2,520 147 2,520 Request for Reexamination

I. BASIC FILING FEE

112 920* 112 920* Req. publication of SIR prior to Examiner action

| Large Entity | Small Entity | | | 113 | 1,840 | 113 | 1,840 | Requesting publication of SIR after Examiner action | | |
|--------------|--------------|------|------|------------------------|----------|-----|-------|---|-----|-------------------------------|
| Code | (\$) | Code | (\$) | Fee Description | Fee Paid | 115 | 110 | 215 | 55 | Extension within first month |
| 101 | 690 | 201 | 345 | Utility filing fee | | 116 | 380 | 216 | 190 | Extension within second month |
| 106 | 310 | 206 | 155 | Design filing fee | | 117 | 870 | 217 | 435 | Extension within third month |
| 107 | 480 | 207 | 240 | Plant filing fee | | 118 | 1,360 | 218 | 680 | Extension within fourth month |
| 108 | 690 | 208 | 345 | Reissue filing fee | | 128 | 1,850 | 228 | 925 | Extension within fifth month |
| 114 | 150 | 214 | 75 | Provisional filing fee | | 119 | 300 | 219 | 150 | Notice of Appeal |

SUBTOTAL (2)

\$ 0

120 300 220 150 Brief in support of an appeal

2. EXTRA CLAIM FEES

121 260 221 130 Request for oral hearing

| | | Extra Claim | Fee below | Fee Paid | 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding |
|--------------------|--|-------------|-----------|----------|-----|-------|-----|-------|---|
| Total Claims | | -20 = | x | | 140 | 110 | 240 | 55 | Petition to revive - unavoidable |
| Indep. Claims | | -3 = | x | | 141 | 1,210 | 241 | 605 | Petition to revive - unintentional |
| Multiple Dependent | | | | | 142 | 1,210 | 241 | 605 | Utility issue fee (or reissue) |

** or number previously paid, if greater; for reissues, see below

143 430 243 215 Design issue fee

| Large Entity | Small Entity | | | 144 | 580 | 244 | 290 | Plant issue fee | |
|--------------|--------------|------|------|---------------------------------------|-----|-----|-----|-----------------|---|
| Code | (\$) | Code | (\$) | Fee Description | 122 | 130 | 122 | 130 | Petitions to the Commissioner |
| 103 | 18 | 203 | 9 | Claims in excess of 20 | 123 | 50 | 123 | 50 | Petitions related to provisional applications |
| 102 | 78 | 202 | 39 | Independent claims in excess of 3 | 126 | 240 | 126 | 240 | Submit Info. Disclosure Stmt |
| 104 | 260 | 204 | 130 | Multiple dependent claim, if not paid | 581 | 40 | 581 | 40 | Patent Assignment per property |

| | | | | | | | | | |
|-----|----|-----|----|---|-----|-----|-----|-----|--|
| 109 | 78 | 209 | 39 | **Reissue independent claims over original patent | 146 | 690 | 246 | 345 | Filing a submission after final rejection (37 CFR 1.129(a)) |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent | 149 | 690 | 249 | 345 | For each additional invention to be examined (37 CFR 1.129(b)) |

SUBTOTAL (2)

(\$ 0

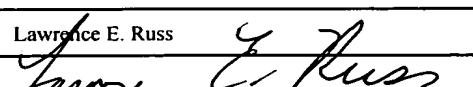
Other fee (specify)

SUBTOTAL (3)

\$ 170.00

SUBMITTED BY

Complete (if applicable)

| | | | |
|-----------------------|---|---------------------|--------------|
| Typed or Printed Name | Lawrence E. Russ | Registration Number | 35,342 |
| Signature |  | Date | May 10, 2000 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SENT TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL

for FY 2000

Patent fees are subject to annual revision.

Small Entity payments **must** be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$ 1596.00)

Complete if Known

| | |
|----------------------|----------------------------|
| Application Number | |
| Filing Date | CONCURRENTLY HEREWITH |
| First Named Inventor | Elias J. Nemer |
| Examiner Name | |
| Group / Art Unit | |
| Attorney Docket No. | NTL-3.2.113/3199 (11334R0) |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

03-2317

Deposit Account Name

COBRIN & GITTES

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 690 | 201 345 | Utility filing fee | 690 |
| 106 310 | 206 155 | Design filing fee | |
| 107 480 | 207 240 | Plant filing fee | |
| 108 690 | 208 345 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$ 690)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|----------------------|--------------|----------------|----------|
| 60 | -20** = 40 | x 18 | = 828 |
| Independent Claims 4 | - 3** = 1 | x 78 | = 78 |
| Multiple Dependent | | | |

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 78 | 202 39 | Independent claims in excess of 3 |
| 104 260 | 204 130 | Multiple dependent claim, if not paid |
| 109 78 | 209 39 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 906)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 380 | 216 190 | Extension for reply within second month | |
| 117 870 | 217 435 | Extension for reply within third month | |
| 118 1,360 | 218 680 | Extension for reply within fourth month | |
| 128 1,850 | 228 925 | Extension for reply within fifth month | |
| 119 300 | 219 150 | Notice of Appeal | |
| 120 300 | 220 150 | Filing a brief in support of an appeal | |
| 121 260 | 221 130 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,210 | 241 605 | Petition to revive - unintentional | |
| 142 1,210 | 242 605 | Utility issue fee (or reissue) | |
| 143 430 | 243 215 | Design issue fee | |
| 144 580 | 244 290 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Petitions related to provisional applications | |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 690 | 246 345 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 690 | 249 345 | For each additional invention to be examined (37 CFR § 1.129(b)) | |

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) (\$ 0)

Reduced by Basic Filing Fee Paid

Complete (if applicable)

| | | | | | |
|-------------------|-------------------------|-----------------------------------|--------|-----------|------------------|
| Name (Print/Type) | Lawrence E. Russ | Registration No. (Attorney/Agent) | 35,342 | Telephone | (212)486-4000 |
| Signature | <i>Lawrence E. Russ</i> | | | Date | January 28, 2000 |

WARNING:

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